

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 3:09-cr-127

Also Case No. 3:16-cv-281

- VS -

District Judge Walter Herbert Rice

Magistrate Judge Michael R. Merz

RONALD E. SCHROYER,

Defendant.

:

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of Magistrate Judge Michael R. Merz (ECF No. 115), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that the Defendant's Motion to Vacate (ECF No. 114) is DISMISSED with prejudice. Based on *Johnson v. United States*, 576 U.S. ___, 135 S. Ct. 2551, 192 L. Ed. 2d 569 (2015), Defendant is granted a certificate of appealability if requested.

July 25, 2016.



Walter Herbert Rice
United States District Judge